

RECEIVED  
CENTRAL FAX CENTER

MAR 09 2005

## FAX COVER SHEET

The information contained in this facsimile message, if a client of this firm is a named addressee, or the message is otherwise intended for a client, is presumptively legally privileged and confidential information. If you are not a named addressee, or if there is any reason to believe that you may have received this message in error, (1) do not read the message below; (2) do not distribute or copy this facsimile; and (3) please immediately call us collect at the number of the sender below.

DATE:	March 9, 2005	TOTAL # OF PAGES: (INCLUDING THIS COVER SHEET)	4
TO:	Petitions	FAX #:	(703) 872-9306
FIRM NAME:	United States Patent and Trademark Office	PHONE #:	
FROM:	James A. Pinto	FAX #:	(303) 629-3450
PHONE #:	(303) 629-3407	EMAIL:	pinto.jim@dorsey.com

## COMMENTS:

Application No.	:	10/615,638	Confirmation No. 1429
Applicant	:	Doug McCain	
Filed	:	July 8, 2003	
TC/A.U.	:	3634	
Examiner	:	Sarah L. Purol	
Docket No.	:	11630/1882/US/2	
Customer No.	:	20686	
For	:	WINE RACK	

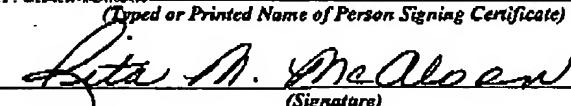
Attached for filing in the above-referenced patent application are the following:

- (1) Petition to Make Special Because of Applicant's Health (37 C.F.R. § 1.102(c) and M.P.E.P. § 708.02 III);(1 page);
- (2) Letter signed by Richard S. Abrams, M.D., for attachment to Petition (1 page); and
- (3) Certification of Transmission by Facsimile (37 CFR 1.8).

ORIGINAL WILL BE SENT VIA:  MAIL  E-MAIL  MESSENGER  AIR COURIER  WILL NOT BE SENT  
 PLEASE CONTACT JAMES A. PINTO AT (303) 629-3407 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

REFERENCE # 3042/462587-2

DORSEY & WHITNEY LLP • WWW.DORSEY.COM • T 303.629.3400 • F 303.629.3450  
 REPUBLIC PLAZA BUILDING • SUITE 4700 • 370 SEVENTEENTH STREET • DENVER, COLORADO 80202-5647  
 USA CANADA EUROPE ASIA

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			
Applicant(s): Doug McCain			
		Docket No. 11630/1882/US/2	
Application No. 10/615,638	Filing Date July 8, 2003	Examiner Sarah L. Purol	Group Art Unit 3634
Invention: <b>WINE RACK</b>			
<p>I hereby certify that this <u>Pet. to Make Special Because of Applicant's Health with Abrams letter attached</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>)</p> <p>on <u>March 9, 2005</u> (<i>Date</i>)</p> <p style="text-align: center;"><u>Rita M. McAloon, Secy. to James A. Pinto (40,774)</u> (<i>Typed or Printed Name of Person Signing Certificate</i>)  (<i>Signature</i>)</p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

MAR 09 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/615,638 Confirmation No. 1429  
 Applicant : Doug McCain  
 Filed : July 8, 2003  
 TC/A.U. : 3634  
 Examiner : Sarah L. Purol  
 Docket No. : 11630/1882/US/2  
 Customer No. : 20686  
 For: : WINE RACK

MAIL STOP PETITION  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL BECAUSE OF APPLICANT'S HEALTH**  
 (37 C.F.R. § 1.102(c) and M.P.E.P. § 708.02 III)

Sir:

Applicant hereby petitions to make this application special because applicant's state of health is such that he might not be available to assist in the prosecution of this application if it were to run its normal course.

As a showing of this fact, accompanying this Petition is a letter dated December 2, 2004, signed by applicant's medical physician, Richard S. Abrams, M.D.

In accordance with 37 C.F.R. § 1.102(c), no fee is required for this Petition.

Respectfully submitted,

Date: March 9, 2005




---

James A. Pinto  
 Attorney Reg. No. 40,774  
 DORSEY & WHITNEY LLP  
 4700 Republic Plaza Building  
 370 Seventeenth Street  
 Denver, CO 80202-5647  
 PH: 303-629-3400  
 Customer No. 20686



*Colorado Internal  
Medicine Center, P.C.*

*Harvey B. Karsh, M.D.  
Richard S. Abrams, M.D.  
Daniel C. Citron, M.D.  
Alex M. Goldsmith, M.D.  
Christopher E. Ricca, M.D.*

December 2, 2004

**RE: Doug Mc Cain**

**To Whom It May Concern:**

This letter is to advise you of the ongoing medical conditions of my patient, Mr. Doug Mc Cain. As his primary care physician, I have treated Mr. Mc Cain for a number of medical problems during the past 3 years. Currently he is being treated for chronic shoulder pain, hyperlipidemia, sleep apnea, asthma, coronary artery disease, and thyroid dysfunction. He has had 9 operations on his knee and numerous other surgical procedures, including coronary artery bypass surgery in April 2000. Mr. Mc Cain will be undergoing yet another operation on December 3, 2004. As he ages and his health diminishes, the possibility of full recovery diminishes with each procedure. I remain optimistic that he will make a full, or nearly full, recovery at this time. However, he faces a long rehabilitative process.

Mr. Mc Cain's patent attorney has advised him that, under certain circumstances, the patent process can be expedited in cases of medical necessity. It is our hope that you will give his application an expedited review. This will allow Mr. Mc Cain to finalize his business and estate plans. If you require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard S. Abrams, M.D."

Richard S. Abrams, M.D.  
RSA/cn